

# O'LEARY ASSOCIATES, P.A.

JOHN A. O'LEARY, ATTORNEY

*Katie O'Leary Fayssoux (of Counsel)*

December 14, 2012

SC Court of Appeals  
Jenny Abbott Kitchings, Clerk of Court  
1015 Sumter Street  
Post Office Box 11629  
Columbia, SC 29211

RE: Columbia Municipal Court vs. Carol A. Davis  
Case No(s): 2011-CP-40-03692/2012-11166  
Charge(s): 2011CP4003692

Dear Ms. Kitchings:

In response to your letter dated 12/13/12 and received in our office 12/14/12 please find enclosed a continuance order for the case United States of America vs. David Andres Jenkins, et al (CR. NO.:3:12-513 (JFA) ) in relation to our client Steven Bradley. This case is continued until March 5, 2013 term of court and is a scheduling conflict with City of Columbia v. Davis, Carol in March, 2013. Please accept the enclosed as evidence of this conflict.

Thank you for your time and consideration in this matter. If you have any questions or if we may be of assistance, please do not hesitate to call.

Sincerely,



JOHN A. O'LEARY  
Attorney At Law

JAO/jb

*for*

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**SC Court of Appeals**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

UNITED STATES OF AMERICA	)	CR. NO.: 3:12-513 (JFA)
	)	
vs.	)	
	)	
DAVID ANDREA JENKINS, et al	)	<u>CONTINUANCE ORDER</u>
	)	
	)	

This matter comes before the Court on the Motion for a Continuance, wherein defense counsel requested a continuance in the above case until the March 2013 term of Court. A pretrial conference held before the Court on August 23, 2012 for defendant Daion Bowers and on August 28, 2012 for the remaining defendants. The Government advised the Court that it had provided approximately one half of the discovery in the case and that the balance was forthcoming within the next month. The Government requested a continuance of the case until the March 2013 term of court, with a pretrial in January of 2013 for the purpose of taking guilty pleas and handling pretrial matters. The reasons for this request included the complex nature of the case, the number of defendants in the case and the volume of discovery that the defendants would need to review prior to making a decision on whether or not to plead guilty or go to trial. Each defendant and his or her counsel orally consented to the Government's motion for continuance of the trial of the case until the March 2013 term.

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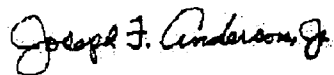
The Court grants the motion for continuance. In concluding that the proposed continuance is appropriate, the Court has balanced the best interest of the public and the defendant in a speedy trial against the ends of justice, and finds that the latter outweighs the former. The Court specifically finds that a continuance in this matter is necessary due to the complex nature of the case and the amount of discovery being provided to defendants in the case.

Therefore, the Court finds that this continuance is justified under the provisions of Title 18, United States Code, Section 3161(h)(7), and the Court specifically finds, based on the entire record before it, that the ends of justice served by the granting of this continuance outweighs the interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED that the trial of this case is continued until the ~~March 5, 2013 term of court,~~ and that any period of delay is hereby excluded in computing the time within which trial must begin pursuant to Title 18, United States Code, Section 3161(h).

IT IS SO ORDERED.

August 28, 2012  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge